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HORIZON TOWER LIMITED, LLC
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ATTORNEYS FOR DEFENDANTS PARK
COUNTY, WYOMING; BOARD OF COUNTY
COMMISSIONERS OF PARK COUNTY,
WYOMING; DOSSIE OVERFIELD, LLOYD
THIEL, LEE LIVINGSTON, SCOTT MANGOLD,
and SCOTT STEWARD, in their official capacity as
Members of the Board of County Commissioners for
Park County, Wyoming

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

HORIZON TOWER LIMITED, LLC and
HORIZON TOWER, LLC,

Plaintiffs,

v.

PARK COUNTY, WYOMING; BOARD OF
COUNTY COMMISSIONERS OF PARK
COUNTY, WYOMING; DOSSIE OVERFIELD,
LLOYD THIEL, LEE LIVINGSTON, SCOTT
MANGOLD, and SCOTT STEWARD, in their
official capacity as Members of the Board of
County Commissioners for Park County, Wyoming;

Defendants

Civil Action No.: 23-CV-0037-ABJ

**JOINT MOTION TO EXTEND THE DATES TO SUBMIT THE PARTIES' JOINT
FINAL PRETRIAL MEMORANDUM AND TO FILE ANY MOTIONS IN LIMINE**

Plaintiffs Horizon Tower Limited, LLC and Horizon Tower, LLC (collectively, “Horizon” or “Plaintiffs”) and Defendants Park County, Wyoming; Board of County Commissioners of Park County, Wyoming; and Dossie Overfield, Lloyd Thiel, Lee Livingston, Scott Mangold, and Scott Steward, in their official capacity as Members of the Board of County Commissioners for Park County, Wyoming (collectively, “County” or “Defendants”) jointly move to extend the date to submit the parties’ Joint Final Pretrial Memorandum and the date to file any motions in limine. In support of their joint motion, the parties state the following:

1. On April 28, 2023, this Court issued an Order on Initial Pretrial Conference (“Order”).

2. In this Order, the Court stated that the “JOINT FINAL PRETRIAL MEMORANDUM shall be filed on or before [January 25, 2024].”

3. Likewise, the Court also set January 25, 2024 as the date by which “MOTIONS IN LIMINE shall be filed.”

4. However, the final pretrial conference is not scheduled until March 29, 2024, and the bench trial is scheduled for April 15, 2024.

5. On November 15, 2023, Plaintiffs filed a motion for summary judgment and a motion to exclude Defendants’ proposed expert witness. On the same day, Defendants cross-moved for summary judgment.

6. The parties completed the briefing on the cross-motions for summary judgment and Plaintiffs’ motion to exclude consideration on December 18, 2023.

7. The cross-motions for summary judgment address all claims in Plaintiffs’ Complaint, and, as a result, may lead to this Court’s resolution of all or part of this litigation, or, if not resolution, then clarification of relevant legal standards. Accordingly, the parties seek to

provide this Court with the maximum amount of time to consider their summary judgment motions before the parties undertake the cost of trial preparation.

8. The final pretrial conference in this case is scheduled for March 29, 2024. This Court's Order includes a 21-day cycle for motions in limine. Twenty-one days before March 29, 2024 is March 8, 2024.

WHEREFORE, Plaintiffs and Defendants respectfully request that this Court extend the date to submit the Joint Final Pretrial Memorandum and the date by which to file any motions in limine to March 8, 2024.

DATED: January 9, 2024.

Respectfully Submitted,

For Plaintiffs:

/s/ Isaac N. Sutphin

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